



PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/717,543
Filing Date	November 21, 2003
First Named Inventor	THOMAS GERLACH and DIRK DROEGE
Art Unit	3721
Examiner Name	Nathaniel C. Chukwurah
Attorney Docket Number	

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	William D. Breneman, Esq.; BRENEMAN & GEORGES		
Signature			
Printed name	William D. Breneman		
Date	May 2, 2005	Reg. No.	26,714

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AMENDMENT TRANSMITTAL LETTER			Deckel Number
Application Number 10/717,543	Filing Date 11/21/2003	Examiner Nathaniel C. Clarkwurah	Group Art Unit 3721
Invention Title STAPLING DEVICE			

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

Transmitted herewith is an amendment in the above - identified application.

- ☒ Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- ☐ A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.
- ☐ No additional fee is required.
- ☒ The fee has been calculated as shown below:

CLAIMS AS AMENDED

	(1)	(2)	(3)		
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE	FEE
TOTAL CLAIMS	° 29	minus °° 25	4	X \$12	100
INDEPENDENT CLAIMS	° 3	minus °° 3	0	X \$36	0
MULTIPLE DEPENDENT CLAIM ADDED				\$120	
				TOTAL	\$ 100.00
If applicant is a small entity under 37 CFR 1.9 and 1.27, then divide total fee by 2, and enter amount here.				SMALL ENTITY TOTAL	\$100.00

° If the entry in column 1 is less than the entry in column 2, write "0" in column 3

°° If the highest number previously paid for IN THIS SPACE is less than 20, enter "20".

°°° If the highest number previously paid for IN THIS SPACE is less than 3, enter "3".

The highest number previously paid for (total or independent) is the highest number found in the appropriate box in column 1.

- ☐ Please charge Deposit Account Number _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$ 100.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account Number 02-3702.
A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

May 2, 2005

(Enc)

William D. Brennan
Reg. No. 26,714

Patent and Trademark Office - U.S. DEPARTMENT OF COMMERCE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

THOMAS GERLACH and
DIRK DRÖGE

Serial No.: 10/717,543

Group Art Unit: 3721

Filed: November 21, 2003

Examiner: Nathaniel C. Chukwurah

For: STAPLING DEVICE

May 2, 2005

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AMENDMENT

Honorable Commissioner of
Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22305

Sir:

Responsive to the Office Action mailed February 1, 2005
which time for response expires May 1, 2005 (a Sunday), please
amend the Specification and claims to place them in an allowable
U.S. format as indicated in the following amendments to the
Specification and Listing of Claims:

05/03/2005 JADD01 00000056 10717543

01 FC:1202

100.00 OP